

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

FILED

JUL 18 2007

U.S. DISTRICT COURT  
ELKINS WV 26241

EDGAR J. MERRITT,

Plaintiff,

v.

Civil Action No. 06-cv-00061

ARMSTRONG WOOD PRODUCTS, INC.,  
a Foreign Corporation.

Defendant.

**AGREED ORDER**

On this day came Plaintiff Edgar J. Merritt, by counsel, and Defendant Armstrong Wood Products, Inc., by counsel, and presented to the Court this Agreed Order for an extension of the deadlines contained in this Court's Scheduling Order, entered November 9, 2006.

There being agreement among the parties on the matters addressed herein, and the Court perceiving no objection, the Court FINDS good cause exists to support an extension of the deadlines as set forth below. Accordingly, it is ORDERED that the Scheduling Order, entered on November 9, 2006, be modified to establish the following deadlines:

1. All discovery shall be fully served and completed by August 31, 2007. "Completed" means that all objections, motions to compel and all other motions and replies relating to discovery in this civil action must be filed in time for the parties objecting or responding to have the opportunity under the Federal Rules of Civil Procedure to make responses. The term "all discovery" in the preceding definition includes the disclosures required by Rules 26(a)(1), (2), and (5), but does not include the disclosures required by Rule 26(a)(3).

Parties have a continuing obligation to supplement their responses beyond the discovery cut-off date as provided in Rule 26(e). The parties should also refer to Rules 3.01-3.07, Local Rules of Civil Procedure, for further instructions on discovery practice.

The Court DIRECTS the Clerk to forward a copy of this Order to counsel of record and any unrepresented parties.

ENTER July 18<sup>th</sup> 2007  
Robert Ellsworth